

Sec.		Sec.	
	(d) Consideration of public comments by Attorney General and publication of response.		(b) Credit fees; equivalent conventional motor fuel sales; labeling of pumps; product liability disclaimers; advertising support; furnishing facilities.
	(e) Public interest determination.		(c) "United States" defined.
	(f) Procedure for public interest determination.	27.	Effect of partial invalidity.
	(g) Filing of written or oral communications with the district court.	27a.	Application of antitrust laws to professional major league baseball.
	(h) Inadmissibility as evidence of proceedings before the district court and the competitive impact statement.		(a) Major league baseball subject to antitrust laws.
	(i) Suspension of limitations.		(b) Limitation of section.
17.	Antitrust laws not applicable to labor organizations.		(c) Standing to sue.
18.	Acquisition by one corporation of stock of another.		(d) Conduct, acts, practices, or agreements subject to antitrust laws.
18a.	Premerger notification and waiting period.	28.	Repealed.
	(a) Filing.	29.	Appeals.
	(b) Waiting period; publication; voting securities.		(a) Court of appeals; review by Supreme Court.
	(c) Exempt transactions.		(b) Direct appeals to Supreme Court.
	(d) Commission rules.	30.	Depositions for use in suits in equity; proceedings open to public.
	(e) Additional information; waiting period extensions.	31.	Panama Canal closed to violators of antitrust laws.
	(f) Preliminary injunctions; hearings.	32, 33.	Repealed.
	(g) Civil penalty; compliance; power of court.	34.	Definitions applicable to sections 34 to 36.
	(h) Disclosure exemption.	35.	Recovery of damages, etc., for antitrust violations from any local government, or official or employee thereof acting in an official capacity.
	(i) Construction with other laws.		(a) Prohibition in general.
	(j) Omitted.		(b) Preconditions for attachment of prohibition; prima facie evidence for nonapplication of prohibition.
	(k) Extensions of time.		
19.	Interlocking directorates and officers.	36.	Recovery of damages, etc., for antitrust violations on claim against person based on official action directed by local government, or official or employee thereof acting in an official capacity.
19a, 20.	Repealed.		(a) Prohibition in general.
21.	Enforcement provisions.		(b) Nonapplication of prohibition for cases commenced before effective date of provisions.
	(a) Commission, Board, or Secretary authorized to enforce compliance.	37.	Immunity from antitrust laws.
	(b) Issuance of complaints for violations; hearing; intervention; filing of testimony; report; cease and desist orders; reopening and alteration of reports or orders.		(a) Inapplicability of antitrust laws.
	(c) Review of orders; jurisdiction; filing of petition and record of proceeding; conclusiveness of findings; additional evidence; modification of findings; finality of judgment and decree.		(b) Immunity.
	(d) Exclusive jurisdiction of Court of Appeals.		(c) Treatment of certain annuities and trusts.
	(e) Liability under antitrust laws.		(d) Limitation.
	(f) Service of complaints, orders and other processes.	37a.	Definitions.
	(g) Finality of orders generally.		
	(h) Finality of orders modified by Supreme Court.		HISTORICAL NOTE
	(i) Finality of orders modified by Court of Appeals.		This chapter includes among other statutory provisions the Sherman Act, comprising sections 1 to 7 of this title, the Clayton Act, comprising sections 12, 13, 14 to 19, 20, 21, and 22 to 27 of this title and sections 52 and 53 of Title 29, Labor, the Wilson Tariff Act, comprising sections 8 and 9 of this title, the Robinson-Patman Price Discrimination Act, comprising sections 13, 13a, 13b, and 21a of this title, the "Expediting Act", sections 28 and 29 of this title, and the "Hart-Scott-Rodino Antitrust Improvements Act of 1976", comprising sections 15c to 15h, 18a, and 66 of this title. For complete classification of the Hart-Scott-Rodino Act, see Short Title note under section 1 of this title.
	(j) Finality of orders issued on rehearing ordered by Court of Appeals or Supreme Court.		CONGRESSIONAL INVESTIGATION OF MONOPOLY
	(k) "Mandate" defined.		Joint Res. June 16, 1938, ch. 456, 52 Stat. 705, created a Temporary National Economic Committee which was authorized to make a full investigation on monopoly and the concentration of economic power in and financial control over production and distribution of goods and services. The time for submitting the final report under Joint Res. June 16, 1938, ch. 456, 52 Stat. 705, as amended Apr. 26, 1939, ch. 104, §§1, 2, 53 Stat. 624, was extended to Apr. 3, 1941, by Joint Res. Dec. 16, 1940, ch. 932, 54 Stat. 1225. The committee's report was presented to Congress on Mar. 31, 1941, and was published in Senate Document No. 35.
	(l) Penalties.		
21a.	Actions and proceedings pending prior to June 19, 1936; additional and continuing violations.		
22.	District in which to sue corporation.		
23.	Suits by United States; subpoenas for witnesses.		
24.	Liability of directors and agents of corporation.		
25.	Restraining violations; procedure.		
26.	Injunctive relief for private parties; exception; costs.		
26a.	Restrictions on the purchase of gasohol and synthetic motor fuel.		
	(a) Limitations on the use of credit instruments; sales, resales, and transfers.		

## EXECUTIVE ORDER No. 12022

Ex. Ord. No. 12022, Dec. 1, 1977, 42 F.R. 61441, as amended by Ex. Ord. No. 12052, Apr. 7, 1978, 43 F.R. 15133, which related to the National Commission for the Review of Antitrust Laws and Procedures, was revoked by Ex. Ord. No. 12258, Dec. 31, 1980, 46 F.R. 1251, set out as a note under section 14 of the Appendix to Title 5, Government Organization and Employees.

## ANTITRUST ACTS AND LAWS DEFINED IN OTHER SECTIONS

Antitrust acts and laws are defined in sections 12, 44, 1311, 1802, 3301, 3503, 4002, 4021, 4301, 6211 of this title; title 10 section 7430; title 12 sections 1828, 1831u, 1841, 1849; title 16 section 2602; title 17 section 109; title 28 section 1407; title 30 sections 184, 1413; title 33 section 1502; title 40 section 488; title 42 sections 5417, 5909, 6202, 8235f, 9102; title 43 sections 1331, 1770; title 45 section 791; title 46 App. section 1702; title 49 sections 10706, 41308; title 50 App. sections 1941a, 2158.

**§ 1. Trusts, etc., in restraint of trade illegal; penalty**

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$10,000,000 if a corporation, or, if any other person, \$350,000, or by imprisonment not exceeding three years, or by both said punishments, in the discretion of the court.

(July 2, 1890, ch. 647, § 1, 26 Stat. 209; Aug. 17, 1937, ch. 690, title VIII, 50 Stat. 693; July 7, 1955, ch. 281, 69 Stat. 282; Pub. L. 93-528, § 3, Dec. 21, 1974, 88 Stat. 1708; Pub. L. 94-145, § 2, Dec. 12, 1975, 89 Stat. 801; Pub. L. 101-588, § 4(a), Nov. 16, 1990, 104 Stat. 2880.)

## AMENDMENTS

1990—Pub. L. 101-588 substituted “\$10,000,000” for “one million dollars” and “\$350,000” for “one hundred thousand dollars”.

1975—Pub. L. 94-145 struck out from first sentence two provisos granting anti-trust exemption to State fair trade laws.

1974—Pub. L. 93-528 substituted “a felony, and, on conviction thereof, shall be punished by fine not exceeding one million dollars if a corporation, or, if any other person, one hundred thousand dollars, or by imprisonment not exceeding three years” for “a misdemeanor, and on conviction thereof, shall be punished by fine not exceeding fifty thousand dollars, or by imprisonment not exceeding one year”.

1955—Act July 7, 1955, substituted “fifty thousand dollars” for “five thousand dollars”.

1937—Act Aug. 17, 1937, inserted two provisos.

## EFFECTIVE DATE OF 1975 AMENDMENT

Section 4 of Pub. L. 94-145 provided that: “The amendments made by sections 2 and 3 of this Act [amending this section and section 45 of this title] shall take effect upon the expiration of the ninety-day period which begins on the date of enactment of this Act [Dec. 12, 1975].”

## SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-297, § 1, Oct. 27, 1998, 112 Stat. 2824, provided that: “This Act [enacting section 27a of this title and provisions set out as a note under section 27a of this title] may be cited as the ‘Curt Flood Act of 1998’.”

## SHORT TITLE OF 1997 AMENDMENTS

Pub. L. 105-43, § 1, Sept. 17, 1997, 111 Stat. 1140, provided that: “This Act [enacting and amending provisions set out as notes below] may be cited as the ‘Need-Based Educational Aid Antitrust Protection Act of 1997’.”

Pub. L. 105-26, § 1, July 3, 1997, 111 Stat. 241, provided that: “This Act [amending sections 37 and 37a of this title and enacting provisions set out as notes under section 37 of this title] may be cited as the ‘Charitable Donation Antitrust Immunity Act of 1997’.”

## SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-63, § 1, Dec. 8, 1995, 109 Stat. 687, provided that: “This Act [enacting sections 37 and 37a of this title and provisions set out as a note under section 37 of this title] may be cited as the ‘Charitable Gift Annuity Antitrust Relief Act of 1995’.”

## SHORT TITLE OF 1990 AMENDMENT

Section 1 of Pub. L. 101-588 provided: “That this Act [amending this section and sections 2, 3, 15a, and 19 of this title and repealing section 20 of this title] may be cited as the ‘Antitrust Amendments Act of 1990’.”

## SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-544, § 1, Oct. 24, 1984, 98 Stat. 2750, provided: “That this Act [enacting sections 34 to 36 of this title and provisions set out as a note under section 34 of this title] may be cited as the ‘Local Government Antitrust Act of 1984’.”

## SHORT TITLE OF 1982 AMENDMENT

Pub. L. 97-290, title IV, § 401, Oct. 8, 1982, 96 Stat. 1246, provided that: “This title [enacting section 6a of this title and amending section 45 of this title] may be cited as the ‘Foreign Trade Antitrust Improvements Act of 1982’.”

## SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-493, § 1, Dec. 2, 1980, 94 Stat. 2568, provided: “That this Act [enacting section 26a of this title] may be cited as the ‘Gasohol Competition Act of 1980’.”

## SHORT TITLE OF 1976 AMENDMENT

Section 1 of Pub. L. 94-435, Sept. 30, 1976, 90 Stat. 1383, provided: “That this Act [enacting sections 15c to 15h, 18a, and 66 of this title, amending sections 12, 15b, 16, 26, and 1311 to 1314 of this title, section 1505 of Title 18, Crimes and Criminal Procedure, and section 1407 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as notes under sections 8, 15c, 18a, and 1311 of this title] may be cited as the ‘Hart-Scott-Rodino Antitrust Improvements Act of 1976’.”

## SHORT TITLE OF 1975 AMENDMENT

Section 1 of Pub. L. 94-145 provided: “That this Act [amending this section and section 45 of this title and enacting provisions set out as a note under this section] may be cited as the ‘Consumer Goods Pricing Act of 1975’.”

## SHORT TITLE OF 1974 AMENDMENT

Section 1 of Pub. L. 93-528 provided: “That this Act [amending this section and section 2, 3, 16, 28, and 29 of this title, section 401 of Title 47, Telegraphs, Telephones, and Radiotelegraphs, and sections 43, 44, and 45 of former Title 49, Transportation, and enacting provisions set out as notes under this section and section 29 of this title] may be cited as the ‘Antitrust Procedures and Penalties Act’.”

## SHORT TITLE

Pub. L. 94-435, title III, § 305(a), Sept. 30, 1976, 90 Stat. 1397, added immediately following the enacting clause of act July 2, 1890, the following: “That this Act [this section and sections 2 to 7 of this title] may be cited as the ‘Sherman Act’.”